

### **REMARKS**

At the outset, Applicants thank the Examiner for the thorough review and consideration of the pending application. The Office Action dated November 1, 2004 has been received and its contents carefully reviewed.

Claims 9-19 are currently pending of which claims 14-19 are currently withdrawn from consideration as being directed to an invention, constructively non-elected by original presentation. Reexamination and reconsideration of the pending claims is respectfully requested.

In the Office Action, the Examiner rejected claims 9-13 under 35 U.S.C. § 103(a) as being unpatentable over Miyanaga et al. (U.S. Patent No. 5,932,893) in view of Fonash et al. (U.S. Patent No. 5,994,164) and Kroontje et al. (U.S. Patent No. 4,940,923). This rejection is respectfully traversed and reconsideration is requested.

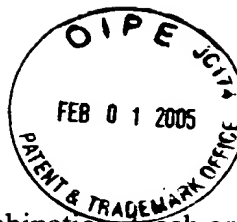
Preliminarily, Applicants note that the heading of the instant rejection, as presented in the Office Action, identifies Fonash et al. with U.S. Patent No. 5,932,983. Applicants respectfully submit, for purposes of clarification, that Fonash et al. is properly identified by U.S. Patent No. 5,932,893 and proceed under the assumption the Examiner intended to apply the teachings disclosed by U.S. Patent No. 5,932,893.

Rejecting claim 9, the Examiner states that Miyanaga et al. discloses a “doped polycrystalline layer ... comprising: ... a plurality of ... [needle-like] crystallites ... (col. 7, lines 31-35).” Applicants respectfully submit, however, that Miyanaga et al. fails to teach, either expressly or inherently, a polycrystalline silicon film comprising a “uniform distribution of needle-shaped silicon crystallites,” as presently recited in claim 9. For example, at column 11, lines 58-63, Miyanaga et al. teaches:

Here, in the area 100 on which the nickel silicide film is selectively formed, crystallization of the crystalline silicon film 104 occurs vertically with respect to the substrate 101. Also, in the areas other than the area 100, as shown by the arrow 105, crystal growth occurs horizontally from the area 100 (parallel to the substrate).

Moreover, neither Fonash et al. nor Kroontje et al. cure the deficiency of Miyanaga et al. with respect to claim 9, as currently presented. Accordingly, Applicants submit that none of

Application No.: 09/497,508  
Amdt. dated February 1, 2005  
Reply to Office Action dated November 1, 2004



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the cited references, either singly or in combination, teach or suggest each and every element as presently recited in claim 9 and, therefore, respectfully submit that claim 9 is nonobvious 35 U.S.C. § 103(a).

As set forth in M.P.E.P. § 2143.03, if an independent claim is nonobvious under 35 U.S.C. § 103 then any claim depending therefrom is nonobvious. Therefore, Applicants respectfully submit that claims 10-13, which depend from claim 9, are also nonobvious under § 103.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: February 1, 2005

Respectfully submitted,

By Valerie P. Hayes <sup>Reg. No.</sup> 53,005  
for Kurt M. Eaton

Registration No.: 51,640  
McKenna Long & Aldridge, LLP  
1900 K Street, N.W.  
Washington, D.C., 20006  
(202) 496-7500  
Attorneys for Applicant